



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David C. Smith

Appl. No. 09/821,044

Filed: March 30, 2001

For: **Fingerprint Scanner Auto-Capture System and Method**

Confirmation No.: 5140

Art Unit: 2621

Examiner: To be assigned

Atty. Docket: 1823.0330001

Preliminary Amendment

Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination of the above-captioned application, please enter the following Amendment. This Amendment is provided in the following format:

(A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;

(B) Starting on a separate page, appropriate remarks and arguments. 37

C.F.R. § 1.111 and MPEP 714; and

(C) Starting on a separate page, a marked-up version entitled: "Version with markings to show changes made."

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.

09821044-05201

Amendments

In the Specification:

Please insert the following paragraph prior to the Field of the Invention section on page 1.

[0001] This application claims the benefit of U.S. Provisional Application No. 60/226,092, filed August 18, 2000.

09/821,044 - 05/25/01

Remarks

Upon entry of the foregoing amendment, claims 1-39 are pending in the application, with 1, 17, 33, 36, and 37 being the independent claims. The specification has been amended to include a claim to priority to U.S. Provisional Application No. 60/226,092, filed August 18, 2000. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Conclusion

The amendments made herein introduce no new matter and their entry is respectfully requested. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey S. Weaver
Attorney for Applicant
Registration No. 45,608

Date: 6/12/01

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

09821044 05501
F05250 44012860

Version with markings to show changes made

Paragraph [0001] has been added.

10/25/2007 10:23:00